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Application No.: 10/805,218Docket No.: 200209460-2 US (1509-486)REMARKS

A cross-reference to the United Kingdom application relied on for priority has been inserted.

Claims 9 and 10 have been amended to include the subject matter of claim 1, upon which they were previously dependent. Claims 2 and 7 have been amended so they now depend on claim 9. Claims similar to claims 2-4 have been added as claims 24-26, but depend on claim 10. Claim 7 has been amended so it depends on claim 9. Claim 23 now depends on claim 9. New claim 24 is similar to claim 23 but depends on claim 10. To expedite prosecution, claims 1, 8 and 11-22 have been cancelled. New method claims 27-29 have been added. Figure 6 and the description thereof are the basis for claims 27-29 that define features not disclosed by Koseki et al US Patent 6,947,074, relied on to reject claims 1-23 under 35 USC 102(e). It is to be understood that the "without substantial step changes" limitation of step (7) of new claim 27 means step changes due only to granularity of digital processing are covered by the claim.

The rejection of claim 9, by proxy with the rejection of claim 5, states Koseki et al discloses a zoom apparatus wherein a transition period between discrete zoom levels of a digital representation of an image is arranged to be initiated only at the end points of an optical lens zoom range. In fact, there is no statement to this effect in column 16, line 25-column 17, line 26. An inspection of Fig. 19 indicates one end point of the optical zoom lens range is at least a 3.2 magnification. Fig. 19 also indicates the optical zoom lens magnification is approximately 2.1 at points of change 1 and 2. Hence, the optical zoom lens at points of change 1 and 2 is not at the end point of the optical zoom lens, i.e. at least a 3.2 magnification. As a result claim 9 and the claims dependent thereon are not anticipated by Koseki et al.

The rejection of claim 10 states, by proxy with the rejection of claim 6, that Koseki et al., at Figs. 21 and 22, and column 18, line 43-column 19, line 20, discloses digital interpolation such that the rate of change of total apparent zoom level is substantially

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equal to the rate of change of zoom level provided by the optical lens. The relied upon portion of Koseki et al. fails to disclose that the rate of change of apparent zoom level is substantially equal to the rate of change of zoom level provided by the optical zoom lens. This portion of Koseki et al. indicates the rate of change of the pick up angle of the optical zoom differs from when interpolation processing is performed with the angle of view continuously varied to when no interpolation processing is performed. This portion of Koseki et al. also indicates the interpolation zoom magnification only increases at a constant rate in accordance with the line f2EH of Fig. 21, with the reading zoom magnification fixed at a magnification of 1. Since the Examiner has not indicated how this disclosure in the reference meets the requirements of claim 10 the rejection of claim 10 is incorrect, so claim 10 and the claims dependent thereon are not anticipated by Koseki et al.

Based on the foregoing, allowance of the application is in order.

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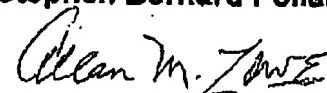
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To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 08-2025 and please credit any excess fees to such deposit account.

Respectfully submitted,

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